



DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS-2021-0035]

Privacy Act of 1974; Computer Matching Program

AGENCY: Department of Homeland Security, U.S. Citizenship and Immigration Services.

ACTION: Notice of a reestablished matching program.

SUMMARY: Pursuant to the Privacy Act of 1974, as amended by the Computer Matching and Privacy Protection Act of 1988 and the Computer Matching and Privacy Protections Amendment of 1990 (Privacy Act), and Office of Management and Budget (OMB) guidance on the conduct of matching programs, notice is hereby given of the reestablishment of a matching program between the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) and the New York Department of Labor (NY-DOL). NY-DOL will match against DHS-USCIS data to verify the immigration status of non-U.S. citizens who apply for federal benefits (Benefit Applicants) under the Unemployment Compensation (UC) programs that it administers.

DATES: Please submit comments on or before [30 DAYS AFTER DATE OF PUBLICATION]. The matching program will be effective on [30 DAYS AFTER DATE OF PUBLICATION] unless comments have been received from interested members of the public that require modification and republication of the notice. The matching program will continue for 18 months from the beginning date and may be extended an additional 12 months if the conditions specified in 5 U.S.C. 552a(o)(2)(D) have been met.

ADDRESSES: You may submit comments, identified by docket number DHS-2021-0035 by one of the following methods:

- **Federal e-Rulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.

- **Fax:** 202-343-4010.
- **Mail:** Lynn Parker Dupree, Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, D.C. 20528-0655.

Instructions: All submissions received must include the agency name and docket number DHS-2021-0035. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: To obtain additional information about this matching program and the contents of this Computer Matching Agreement between DHS-USCIS and NY-DOL, please view this Computer Matching Agreement at the following website: <https://www.dhs.gov/publication/computer-matching-agreements-and-notices>. For general questions about this matching program, contact Jonathan M. Mills, Acting Chief, USCIS SAVE Program at (202) 306-9874. For general privacy questions, please contact Lynn Parker Dupree, (202) 343-1717, Chief Privacy Officer, Department of Homeland Security, Washington, D.C. 20528-0655.

SUPPLEMENTARY INFORMATION: DHS-USCIS provides this notice in accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988 (Pub. L. No. 100-503) and the Computer Matching and Privacy Protection Amendments of 1990 (Pub. L. No. 101-508) (Privacy Act); Office of Management and Budget (OMB) Final Guidance Interpreting the Provisions of Pub. L. No. 100-503, the Computer Matching and Privacy Protection Act of 1988, 54 FR 25818 (June 19, 1989); and OMB Circular A-108, 81 FR 94424 (December 23, 2016).

PARTICIPATING AGENCIES: DHS-USCIS and NY-DOL.

AUTHORITY FOR CONDUCTING THE MATCHING PROGRAM: Section 121 of the Immigration Reform and Control Act (IRCA) of 1986, Pub. L. No. 99-603, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Pub. L. No. 104-193, 110 stat. 2168 (1996), requires DHS to establish a system for the verification of immigration status of noncitizen applicants for, or recipients of, certain types of benefits as specified within IRCA, and to make this system available to state agencies that administer such benefits. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Pub. L. No. 104-208, 110 State. 3009 (1996) grants federal, state, or local government agencies seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency with the authority to request such information from DHS-USCIS for any purpose authorized by law.

PURPOSE: The purpose of this Agreement is to reestablish the terms and conditions governing NY-DOL's access to, and use of, the DHS-USCIS Systematic Alien Verification for Entitlements (SAVE) Program, which provides immigration status information from federal immigration records to authorized users. NY-DOL will use the SAVE Program to verify the immigration status of non-U.S. citizens who apply for federal benefits (Benefit Applicants) under Unemployment Compensation (UC) programs that it administers. NY-DOL will use the information obtained through the SAVE Program to determine whether Benefit Applicants possess the requisite immigration status to be eligible for the UC benefits administered by NY-DOL.

CATEGORIES OF INDIVIDUALS: The persons about whom DHS-USCIS maintains information, which is contained in its Verification Information System (VIS) database used by the SAVE Program to verify immigration status, that are involved in this matching program include noncitizens (meaning any person as defined in Immigration and Nationality Act section 101(a)(3)), those naturalized, and to the extent those that

have applied for Certificates of Citizenship, derived U.S. citizens, on whom DHS-USCIS has a record as an applicant, petitioner, sponsor, or beneficiary. The persons about whom NY-DOL maintains information that is involved in this matching program include non-citizen Benefit Applicants for, or recipients of, UC administered by NY-DOL. The persons referred to here are only considered individuals as defined by the Privacy Act, and thus covered under this matching program, to the extent they are U.S. citizens or lawful permanent residents.

CATEGORIES OF RECORDS: Data elements to be matched between NY-DOL records and DHS-USCIS federal immigration records include the following: Last Name, First Name, Middle Name, Date of Birth, Immigration Numbers (e.g., Alien Registration/USCIS Number, I-94 Number, SEVIS ID Number, Certificate of Naturalization Number, Certificate of Citizenship Number, or Unexpired Foreign Passport Number), and Other Information from Immigration Documentation (for example, Country of Birth, Date of Entry, Employment Authorization Category). Additional Data elements provided to NY-DOL from DHS-USCIS records related to the match may include: Citizenship or Immigration Data (for example, immigration class of admission and/or employment authorization), Sponsorship Data (for example, name, address, and social security number of Form I-864/I-864EZ sponsors and Form I-864A household members, when applicable) and Case Verification Number.

SYSTEM OF RECORDS: DHS/USCIS-004 Systematic Alien Verification for Entitlements (SAVE) System of Records Notice, 85 FR 31798 (May 27, 2020).

Lynn Parker Dupree,
Chief Privacy Officer,
Department of Homeland Security.

[FR Doc. 2021-26572 Filed: 12/7/2021 8:45 am; Publication Date: 12/8/2021]